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# Internally displaced persons

## Note by the Secretary-General

The Secretary-General has the honour to transmit to the members of the General Assembly the report prepared by the representative of the Secretary-General on internally displaced persons, Mr. Francis Deng, in accordance with General Assembly resolution 52/130 of 12 December 1997 and Commission on Human Rights resolution 1999/47 of 27 April 1999.

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# Report on internally displaced persons, prepared by the representative of the Secretary-General

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# I. Introduction

1. Since the General Assembly last considered the issue of internal displacement, the global crisis of internal displacement has continued to unfold, manifesting itself in a number of different ways. New internal displacement crises have emerged, such as in Indonesia and Kosovo. A number of long-standing situations, as in Angola, Colombia and the Sudan, have deteriorated significantly. Still others, such as in the Caucasus, have essentially stagnated and, in so doing, faded from international attention, often without a durable solution for those affected. In all, some 20 to 25 million persons in at least 40 countries worldwide are internally displaced and in need of international attention, assistance and, especially, protection.

2. On the positive side, if one could be said to exist amidst such human tragedy, since the General Assembly last considered this issue there have occurred significant developments towards improving responses at the national, regional and international levels to the challenges that the global crisis of internal displacement presents. This report provides an overview of developments since my report to the fifty-second session of the General Assembly (A/52/506) in the three main areas of work of the mandate: the normative framework, in particular the development of the Guiding Principles on Internal Displacement; the institutional framework, at the international as well as regional levels; and the focus on specific country situations. There follows a section setting out the research agenda currently being undertaken by the mandate with a view to further enhancing responses to internal displacement.

# II. The normative framework: the guiding principles

3. The development of an appropriate normative framework for the protection and assistance of internally displaced persons has been a main objective of the mandate since its inception. Indeed, the need to examine the applicability of existing international human rights law, humanitarian law and refugee law by analogy to the protection and assistance needs of internally displaced persons was a principal reason prompting the Commission on Human Rights to request the Secretary-General to designate a representative on internally displaced persons (resolution 1992/73).

4. In particular, the Commission requested an identification of existing laws for the protection of internally displaced persons, possible additional measures to strengthen the implementation of these laws and alternatives for addressing protection needs not adequately covered by existing instruments. The following year, in resolution 1993/95, the Commission noted that the compilation of existing rules and norms and the question of general guiding principles to govern the treatment of internally displaced persons, in particular their protection and the provision of relief assistance, were among the tasks identified by the Representative as requiring further attention and study. Concurring with this conclusion, the General Assembly, in resolution 48/135, encouraged the Representative to continue his review of the needs for international protection of and assistance to internally displaced persons, including through the compilation and analysis of existing rules and norms. Working with a team of international legal experts, this exercise resulted in the preparation of a compilation and analysis, in two parts, of the legal norms pertaining to internal displacement.

5. The first part of the compilation and analysis (E/CN.4/1996/52/Add.2) examined the relevant provisions of international law once people had been displaced. The study concluded that while existing law covered many aspects of relevance to the situation of internally displaced persons, there nonetheless existed significant gaps and grey areas as a result of which the law failed to provide sufficient protection. In addition to emphasizing the need for better implementation of the relevant norms, the study made recommendations for addressing the identified gaps and grey areas with a view to ensuring a more comprehensive normative framework for the protection and assistance of the internally displaced.

6. The second part of the compilation and analysis (E/CN.4/1998/53/Add.1), which was finalized in the course of the last reporting period, employed the same methodology of considering international human rights law, international humanitarian law and refugee law by analogy to examine the legal aspects relating to protection against arbitrary displacement. The study found that many provisions in international law pointed to a general rule according to which forced displacement could be undertaken only exceptionally, on a non-discriminatory basis and not arbitrarily imposed, but that that protection largely was only implicit. Accordingly, the study concluded that the legal basis for providing protection prior to displacement could be strengthened significantly by articulating a right not to be arbitrarily displaced.

7. Together, the two parts to the compilation and analysis of legal norms provided the basis upon which to return to the question of general guiding principles to govern the

treatment of internally displaced persons. In resolutions 1996/52 and 1997/39, the Commission called upon the Representative to develop, on the basis of the compilation and analysis, a comprehensive normative framework of protection and assistance for internally displaced persons and, in the latter resolution, took note of the Representative's preparation of guiding principles to that end. The General Assembly, at its last session, welcomed the Commission's encouragement of the Representative in that regard and also took note of his preparations of guiding principles.

8. As detailed in the previous report to the Assembly, work with a team of experts in international law to draft a set of guiding principles relating to internally displaced persons began in June 1996. Throughout this process, consultations were held with representatives of United Nations agencies, regional organizations and non-governmental organizations involved with the internally displaced. A final meeting, hosted by the Government of Austria in Vienna in January 1998, widened the consultative process to include legal experts from the various geographic regions as well as representatives from a broad cross-section of relevant United Nations agencies, regional organizations and non-governmental organizations.

9. On the basis of the expertise shared at the meeting, the set of guiding principles was further refined before being submitted to the Commission on Human Rights at its fifty-fourth session as the Guiding Principles on Internal Displacement (E/CN.4/1998/53/Add.2). Before recounting the response of the Commission and other bodies to the Guiding Principles, their content is briefly summarized.

10. The stated scope and purpose of the Guiding Principles is to address the specific needs of internally displaced persons worldwide by identifying the rights and guarantees relevant to their situation and thereby providing guidance to all relevant actors: the Représentative in carrying out his mandate; States when faced with the phenomenon of internal displacement; all other authorities, groups and persons in their relations with internally displaced persons; and intergovernmental and non-governmental organizations.

11. The Guiding Principles consolidate the numerous relevant norms which are at present too dispersed and diffuse to be effective in ensuring the protection and assistance of internally displaced persons. The Commission, in resolutions 1996/52, 1997/39 and 1998/50, had recognized that the protection of internally displaced persons would be strengthened by identifying, reaffirming and consolidating specific rights for their protection. Reflecting and consistent with international human rights law and international humanitarian law, the Guiding Principles set forth the rights and guarantees relevant to the protection of internally displaced persons in all phases of displacement: protection against arbitrary displacement; protection and assistance during displacement; and during return, resettlement and reintegration.

12. The introduction to the Principles contains a refinement of previous working definitions: internally displaced persons are persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border. This definition is descriptive, not indicative of a legal status. It contains the two basic elements of internal displacement: coerced movement and remaining within national borders. It refers to the major causes of displacement, but its inclusion of the qualifier "in particular" makes clear that other causes are not excluded. In large part, the focus is on persons who, if they were to cross a border, would qualify as refugees, under both the Organization of African Unity (OAU) Convention Governing the Specific Aspects of Refugee Problems in Africa and the Cartagena Declaration on Refugees and arguably, in many cases, under the narrower definition of the 1951 Convention relating to the Status of Refugees as well. The definition also includes persons who would not qualify as refugees, for example those uprooted by natural and human-made disasters. The argument for including reference to these disasters in the definition is based on cases where Governments respond to such disasters by discriminating against or neglecting certain groups on political, ethnic, racial or religious grounds or by violating the human rights of the affected population in other ways, thereby creating special protection needs. It should be noted that the definition does not encompass persons who migrate for economic reasons. To be sure, persons forced from their homes because of economic injustice and marginalization tantamount to systematic violation of their economic rights would come under the definition, but in most cases of economic migration the element of coerced movement is not so clear.

13. The Guiding Principles pay special attention to the needs of internally displaced women and children, who typically comprise the overwhelming majority of any internally displaced population. The Principles specify that children, especially unaccompanied minors, and expectant mothers, mothers with young children and female heads of household shall be entitled to protection and assistance required by their condition and to treatment which takes into

account their special needs. A number of specific provisions elaborate upon this principle.

14. The General Assembly, in resolution 52/107 on the rights of the child, requested the Representative to take into account the situation of internally displaced children in his preparation of guiding principles. The participation of the United Nations Children's Fund (UNICEF) and of children's rights specialists in the preparation of the Principles assisted the Representative in this regard. Among the relevant provisions, the Principles prohibit the sale into marriage, sexual exploitation and forced labour of children as well as the recruitment of children and their participation in hostilities. They also provide for the rapid reunification of families, particularly when children are involved, for the education of displaced children, with the equal participation of girls in educational programmes, and the access of displaced adolescents to training facilities.

15. The Principles also prohibit rape, acts of gender-specific violence, forced prostitution and any form of indecent assault. They set out the need to involve women in the planning and management of State-sanctioned relocations and to make special efforts to ensure the full participation of women in the planning and distribution of basic supplies. Special attention is to be paid to the health needs of internally displaced women, including access to female health-care providers and services, such as reproductive health care, as well as appropriate counselling for victims of sexual and other abuses. Women and men shall have equal rights to obtain personal identification documents and to have such documentation issued in their own names. Education and training facilities are to be made available to internally displaced women as soon as conditions permit.

16. In the short time since they were submitted to the Commission on Human Rights, the Guiding Principles have gained considerable international recognition and standing. To begin with, the Inter-Agency Standing Committee (IASC), at its meeting of 26 March 1998, adopted a decision welcoming the Principles and encouraging its members to share them with their executive boards and their staff, especially those in the field, and to apply them in their activities on behalf of internally displaced persons.

17. The Commission on Human Rights, in resolution 1998/50, which was adopted without a vote and co-sponsored by 55 States, noted with interest the IASC decision, took note of the Guiding Principles and of the stated intention of the Representative to make use of them in his dialogue with Governments and intergovernmental and non-governmental organizations. It requested him to report on his efforts in that regard and the views expressed to him.

18. The Guiding Principles also were brought to the attention of the Economic and Social Council and, in particular, its first humanitarian segment. Member States were among the invitees to a round-table discussion on "Internally displaced persons: challenges confronting the international community" that was jointly hosted by the Emergency Relief Coordinator and the Representative, and at which a number of States expressed their support for the Principles. The Secretary-General, in his report to the Council on the strengthening of the coordination of emergency humanitarian assistance of the United Nations, highlighted the Guiding Principles as among the "notable examples" of achievements of the past year (A/53/139-E/1998/67, para. 10). The Council, in its agreed conclusions 1998/2 on follow-up and implementation of the Vienna Declaration and Programme of Action, specifically in section V on "Those requiring special protection", commended the efforts to promote a comprehensive strategy that focuses on prevention, as well as better protection, assistance and development for internally displaced persons and, in this regard, noted the progress achieved to date in developing a legal framework. In this connection, it is worth noting that the General Assembly consistently has recalled the emphasis in the Vienna Declaration and Programme of Action on the need to develop global strategies to address the problem of internal displacement. The Council also made reference to the Guiding Principles in its agreed conclusions 1998/1 on the issue of special economic, humanitarian and disaster relief assistance, noting the IASC decision relating to them.

19. The Security Council is another forum in which the Secretary-General as well as States have expressed their views on the Guiding Principles. The Secretary-General, in his report to the Council on protection for humanitarian assistance to refugees and others in conflict situations, drew the Council's attention to the development of the set of guiding principles for the protection of internally displaced persons (S/1998/883, para. 10). In the debate on this agenda item, the delegation of Kenya referred to the importance for both States and non-State actors to rise to the challenge to comply with existing international legal instruments that are designed to assist and protect civilian populations from harm and that outline urgent measures to ensure that refugees, displaced persons and other affected people in conflict situations have access to international protection and assistance and, in this regard, welcomed the guiding principles for the protection of internally displaced persons (see S/PV.3932).

20. In the Council's consideration of the issue of the protection of civilians in armed conflict earlier this year, a number of speakers underscored the importance of a normative framework for addressing the plight of the internally displaced (see S/PV.3977). Canada highlighted the emergence of new standards to address the changing nature of conflict, for example, with respect to the internally displaced. The United Kingdom praised the work that had been done in codifying the principles regarding internally displaced persons, but also stressed the need for a mechanism to ensure that these were observed. Gambia expressed the hope that in the year of the fiftieth anniversary of the Geneva Conventions, the international community would adopt an appropriate framework for internally displaced persons. The Special Representative of the Secretary-General on Children and Armed Conflict, in emphasizing the gravity of the situation of the internally displaced, stressed the urgency of doing so.

21. Outside the United Nations framework, the Representative has brought the Guiding Principles to the attention of regional intergovernmental forums. Indeed, the Organization of African Unity (OAU), the Inter-American Commission on Human Rights of the Organization of American States (OAS) and the Organization for Security and Cooperation in Europe (OSCE) were consulted in the formulation of the Guiding Principles, in particular through their participation at the Experts Consultation in Vienna in January 1998. The finalized set of Guiding Principles since have been brought by the Representative to the attention of various regional, subregional and international organizations.

22. An OAU seminar on Enhancing the Participation of Returnees, Refugees and Internally Displaced Women and Children in Reconstruction, Rehabilitation and Peace-Building, held in Addis Ababa from 12 to 15 October 1998, was the first regional meeting to consider the Guiding Principles. The office of the Representative participated in the seminar and a statement from the Representative was issued at the meeting. The Plan of Action, which was adopted by consensus at the meeting, called on the Secretary-General of the OAU to urge member States to promote compliance with the Guiding Principles on Internal Displacement.

23. Following this meeting, the OAU co-sponsored with the Office of the United Nations High Commissioner for Refugees (UNHCR) and the Brookings Institution Project the Workshop on Internal Displacement in Africa, held in Addis Ababa on 19 and 20 October, in which representatives of the five member States of the OAU Bureau of the Commission on Refugees (Algeria, Cameroon, Niger, Sudan, Zambia) participated. The report of the workshop was submitted to the United Nations Commission on Human Rights at its fifty-fifth session (E/CN.4/1999/79/Add.2) and is reproduced, along with the various papers presented to the workshop and a foreword by the Representative, in a special issue of *Refugee-Survey Quarterly* published by UNHCR. The workshop discussed the promotion, dissemination and application of the Guiding Principles in Africa. The OAU, in its introductory statement to the conference, renewed its appreciation for the Guiding Principles and noted that it stood ready to associate itself with efforts to give wide dissemination to the Principles, so as to increase international awareness of the needs and rights of internally displaced persons and of the legal standards pertinent to their needs. It further noted that while the Principles alone could not prevent displacement or violation of the rights of internally displaced persons, they would provide guidance to Governments and organizations when addressing the issue in the field. In its conclusions and recommendations, the workshop warmly welcomed and endorsed the Guiding Principles as an important basis for more effectively addressing the problem of internal displacement in Africa. The strong protection focus of the Principles and their comprehensive approach, incorporating the issues of prevention, protection, assistance and solutions, were particularly welcomed by participants, as was the linkage the Principles make between finding solutions to current situations of internal displacement and the prevention of future displacements.

24. The dissemination and promotion of the Guiding Principles throughout Africa was among the recommendations made by the Addis Ababa workshop to the OAU Ministerial Meeting on Refugees, Returnees and Displaced Persons in Africa, held in Khartoum from 13 to 15 December 1998. An OAU expert meeting immediately prior to the Ministerial Meeting, at which a statement by the Representative was issued, included a substantive session on internal displacement in Africa. The Ministerial Meeting recommended that the Guiding Principles be submitted to the OAU Commission on Refugees at its next session which was, in turn, to submit its conclusions to the OAU Council of Ministers.

25. In accordance with this request, the Representative was invited to present the Guiding Principles to the OAU Commission on Refugees at its thirtieth session, held in June 1999. The climate of discussion on the Guiding Principles was positive and constructive, with virtually all speakers prefacing their comments with an expression of appreciation of the Representative's presentation of the Principles. Indeed, a call was made for increased awareness in Africa

of the Principles, with the suggestion that a promotional campaign be launched by the OAU and other relevant actors to that end. Seminars, workshops and round tables on the Principles were encouraged as part of this promotional campaign. The OAU Commission on Refugees ended its discussion of the item by taking note with interest and appreciation of the Guiding Principles.

26. This decision of the OAU Commission on Refugees then was submitted to the OAU Council of Ministers at its seventieth ordinary session held in Algiers in July. The OAU Secretary-General, in his report on the thirtieth ordinary session of the OAU Commission on Refugees, on the situation of refugees, returnees and displaced persons in Africa, highlighted the decision of the Commission taking note of the Guiding Principles with interest and appreciation. The report also provided an overview of the aforementioned workshop on internal displacement held in Addis Ababa in October 1998, making express reference to the emphasis of the workshop on the need to promote the dissemination and application of the Guiding Principles throughout Africa and to explore the role of Africa's regional and subregional organizations in addressing the problem of internal displacement.

27. In addition to being brought to the attention of the OAU, the Guiding Principles also have been shared with subregional organizations in Africa, namely the Economic Community of West African States (ECOWAS), the Southern African Development Community (SADC) and the Intergovernmental Authority on Development (IGAD).

28. In the Americas, the Representative has shared the Principles with the Inter-American Commission on Human Rights of the OAS and its rapporteur on internally displaced persons. Both of these mechanisms have begun to apply the Principles in their work. The Inter-American Commission has welcomed and expressed its full support for the Guiding Principles, noting that as the most comprehensive restatement of norms applicable to the internally displaced, they provide authoritative guidance to the Commission on how the law should be interpreted and applied during all phases of displacement.

29. The OSCE, for its part, has circulated the Principles among its participating States and at its Human Dimension seminar which dealt with the role of the OSCE field mission in human rights work. The OSCE Office for Democratic Institutions and Human Rights has expressed an interest in convening, in cooperation with the Representative, seminars on the Principles in countries affected by internal displacement.

30. The Representative also has written to the Commonwealth, an organization of 53 States from all regions of the world, to encourage its member States as well as the organization as a whole to promote and apply the Principles. Prior to the completion of the Guiding Principles, the Commonwealth heads of Government, at their meeting of October 1997, had endorsed the report of its Intergovernmental Group on Refugees and Displaced Persons which took note of the formulation of the Guiding Principles, encouraged efforts to evolve a legal framework for dealing with internally displaced persons, and recommended that the Commonwealth lend its support and contribute to international efforts to develop a normative framework to address the lacunae in the protection of internally displaced persons, and endeavour to promote the implementation of relevant human rights and humanitarian instruments including, where applicable and feasible, by implementing the normative framework through national legislation.

31. The Representative also has sought the views of Governments on the Guiding Principles on a bilateral basis, in particular through the dialogue in which he engages with Governments in the course of undertaking country missions. The mission of the Representative to Azerbaijan, the report of which was presented to the Commission at its fifty-fifth session (E/CN.4/1999/79/Add.1) was the first to have been undertaken by the Representative since the completion of the Guiding Principles. Throughout the mission, the Representative used the Guiding Principles as the basis for his dialogue with various government officials, national and local, as well as with representatives of the diplomatic community. To facilitate dialogue on the Principles with Azerbaijani officials, the Principles had been translated, with the support of UNHCR, into the Azerbaijani language, both in Cyrillic and Roman scripts. The Minister of Justice noted that protection for internally displaced persons requires the incorporation of their rights into legislation, both at the national and international level, and in this regard welcomed the Guiding Principles as a valuable reference for use within the national legislative framework. The Deputy Minister of Health particularly welcomed the attention paid by the Guiding Principles to economic and social rights.

32. The Principles also provided the basis for the Representative's dialogue with the Government of Colombia during his follow-up mission to that country in May 1999. A number of government officials shared with the Representative an analysis of the situation of internal displacement in Colombia that they had undertaken on the basis of the Guiding Principles. This was also true of local NGOs as well as international NGOs and agencies. In-depth

analyses of the various phases of displacement were provided within the context of a seminar on the Guiding Principles in Colombia, with which the Representative's official visit was combined, and in which representatives of the Government participated. Co-sponsored by the U.S. Committee for Refugees, a consortium of Colombian NGOs called the *Grupo de Apoyo a Organizaciones de Desplazados (GAD)* and the Brookings Institution Project on Internal Displacement, the seminar brought together government officials, local NGOs, international NGOs and agencies and representatives of internally displaced communities to analyse the situation of internal displacement in Colombia on the basis of the Principles and to discuss strategies for enhancing their application. In a final declaration the seminar reiterated the importance of the application of the Guiding Principles in the Colombian context, noting that they set out the minimum standards that should be respected and guaranteed, and stressed the need for the Principles to be put into practice. Government representatives at the workshop pledged to hold meetings with local NGOs to develop strategies for doing so.

33. Promoting and disseminating the Guiding Principles was a central objective of the workshop convened at the request of the Government of Uganda in March 1999, with the support of the Norwegian Refugee Council and the Office of the United Nations High Commissioner for Human Rights and in which the office of the Representative participated. Workshop participants, which included Ugandan political and military authorities, local NGOs and human rights experts, representatives of internally displaced communities and international humanitarian and development agencies, agreed that the Guiding Principles should be disseminated widely to all relevant actors and foremost to the authorities and the internally displaced themselves. To facilitate dissemination efforts, the workshop recommended that the Guiding Principles and international human rights standards be translated into local languages and that radio programmes to raise awareness of the Principles be developed. The holding of local-level training workshops on the Guiding Principles and human rights for the military, representatives of internally displaced communities, church leaders, NGOs and the population at large were advocated. The international community was requested to assist such promotion and training activities through the mobilization of resources and the provision of technical assistance.

34. In the light of the fact that many internally displaced populations are found in areas falling outside government control, efforts also have been made to bring the Guiding Principles to the attention of non-State actors. For example, the Representative has presented the Guiding Principles to the Sudan People's Liberation Army/Sudan People's Liberation Movement (SPLA/SPLM), which has received them positively. A number of non-governmental organizations have indicated to the Representative their intention to bring the Guiding Principles to the attention of other non-State actors.

35. With respect to international organizations, it should be recalled that several, namely the Office of the High Commissioner for Human Rights, UNHCR, the International Committee of the Red Cross (ICRC), the Office for the Coordination of Humanitarian Affairs (OCHA), the United Nations Development Programme (UNDP), the United Nations Children's Fund (UNICEF), the World Food Programme (WFP) and the International Organization for Migration (IOM) were consulted in the preparation of the Principles. Once the Principles were finalized they were presented to the IASC which adopted a decision on them, as noted above. Reinforcing the IASC decision, UNHCR, UNICEF, WFP, ICRC and IOM have made statements to the Commission on Human Rights emphasizing the relevance of the Guiding Principles to their work. UNHCR noted that the Principles are of considerable importance to its work — a point which the General Assembly since has echoed in resolution 53/125. UNICEF described the principles as an excellent reference point which will serve as the international standard for the protection and assistance of internally displaced persons. WFP welcomed the Principles as a well-formulated consolidation of relevant elements of existing international human rights and humanitarian law, presented in clear, concise language which would increase international awareness of the specific problems internally displaced persons confront as well as the legal norms relevant to addressing their needs. The ICRC emphasized that the Guiding Principles do not alter or replace existing law, but instead provide useful guidance on how the law is to be interpreted in the context of internal displacement and, as such, should prove valuable to all those confronted with problems of internal displacement. IOM welcomed the finalization of the Guiding Principles and expressed its intention to ensure that its programmes conform to them and, in so doing, effectively address the phenomenon of displacement as well as the needs of the displaced.

36. The IASC as a whole has undertaken a number of efforts pursuant to its decision regarding the Guiding Principles. As a first step, OCHA has published the Guiding Principles in English in booklet form in order to facilitate their wide dissemination. French, Spanish and Portuguese versions of this booklet are forthcoming. The Emergency Relief Coordinator, who chairs the IASC, has written to the

United Nations resident/humanitarian coordinators, in their capacity as field focal points for internally displaced persons, in all countries with internal displacement, encouraging them to disseminate the Principles widely to United Nations field staff as well as to governmental and non-governmental partners. International organizations have shared the Principles with their staff and several, such as UNHCR and WFP, have presented them to their executive bodies. The heads of a number of these agencies have further expressed support for the Principles in a variety of international forums.

37. OCHA field staff report that the Guiding Principles have been found to be useful in responding to internal displacement. The United Nations Humanitarian Coordination Unit (UNHCU) in the Sudan notes that the Guiding Principles are becoming the framework of its IDP programme, through dissemination and training activities for staff as well as civil and military authorities. They have also been used in advocacy efforts with the Government. In Angola, the United Nations Humanitarian Assistance Coordination Unit (UCAH, from its Portuguese title: *Unidade de Coordenação para Assistencia Humanitaria*) has incorporated the Guiding Principles into its dissemination and training efforts for civil and military authorities as well.

38. The Office of the High Commissioner for Human Rights, as a standing invitee of the IASC, also has undertaken efforts to implement the decision relating to the Guiding Principles. To assist with dissemination efforts, the Principles are prominently posted on the Office's Web site. The Office has shared the Principles with all staff, encouraging their use especially by field staff, relevant country and thematic special rapporteurs, the treaty bodies and in technical cooperation projects. The Representative formally presented the Guiding Principles to the annual meeting of the special rapporteurs in May 1999 and to the meeting of the heads of Office field presences in September. Plans are under way for the Principles to also be presented to the meetings of the human rights treaty bodies. The High Commissioner, special rapporteurs and OHCHR field staff have begun to use the Guiding Principles in their respective areas of work. A project being developed under the Office's technical assistance programme aims to enhance such efforts, especially in the field.

39. On the views of non-governmental organizations, it must be noted that three non-governmental umbrella organizations — InterAction, the International Council for Voluntary Agencies (ICVA) and the Steering Committee for Humanitarian Response (SCHR) — participate in the IASC and, as such, also are committed to implement its decision. Moreover, various non-governmental organizations were consulted in the preparation of the Principles and participated in the expert consultation at which these were finalized. Since that time, the membership of InterAction, ICVA and SCHR and of other members of the non-governmental community have participated in a number of forums in which they have expressed their support for the Principles. InterAction convened a meeting of its membership in August 1998 to discuss the Guiding Principles with the Representative. The October workshop in Addis Ababa included key African non-governmental organizations, which expressed support for the Principles and their intention to use them. In Colombia, local non-governmental organizations, who already were familiar with the Principles at the time of the workshop this past spring, stressed the need for their wider dissemination and, especially, application.

40. Non-governmental organizations have been active in the promotion and dissemination of the Principles. The Global IDP Survey of the Norwegian Refugee Council has appended the Guiding Principles to its recent publication, *Internally Displaced People: A Global Survey* and, at the London launching of this survey in July 1998, held a one-day workshop, in which the office of the Representative participated, to promote the use of the Principles by non-governmental organizations. The *Forced Migration Review* published by the Refugee Studies Programme in association with the Global IDP Survey recently included several articles on the Guiding Principles[1] and plans to disseminate the Principles in Arabic and Spanish to non-governmental organizations and other interested individuals in different parts of the world. A number of NGO newsletters, including *Uprooted People* of the Global Ecumenical Network on Uprooted People of the World Council of Churches, *The Mustard Seed* of the Jesuit Refugee Service/USA and *On the Record* of the Advocacy Group, have dedicated special issues and supplements specifically to the Guiding Principles and the issue of internal displacement.[2] The Principles and articles relating to them also have been published in the *International Review of the Red Cross*,[3] the *ICJ Review*[4] and *Human Rights Tribune* of Human Rights Internet.[5] InterAction's newsletter has highlighted the Principles,[6] and an article on the Principles also was published in the *RRN (Relief and Rehabilitation Network) Newsletter*.[7] The Principles, an introduction to them by Dr. Walter Kälin, a member of the legal team that drafted them, and an overview of the discussion that followed their presentation to the Commission on Human Rights, appeared in an issue of the *International Journal of Refugee Law*[8] specially devoted to internally displaced persons.

41. In addition to publishing the Principles, non-governmental organizations as well as individuals also have begun to use them as a basis for assessing the responses to specific country situations of internal displacement.[9] Amnesty International has begun to systematically apply the Guiding Principles as a basis for monitoring and making recommendations on the situations of internal displacement throughout the world.[10] National NGOs also have been active in promoting and applying the Guiding Principles in their country context. In the Philippines, for example, the Ecumenical Commission for Displaced Families and Communities (ECDFC) has not only reproduced the Principles in booklet form in order to facilitate their dissemination but also convened a forum discussion on them in December 1998 for representatives of NGOs, relevant government offices and international agencies to discuss their implementation.[11]

42. Indeed, as a reflection of the level of interest in the Principles, the Representative and the Office of the High Commissioner for Refugees continue to receive regular requests for them, and have ensured that multiple copies of the Principles, in appropriate languages, have been made available to relevant forums, including the Executive Committee plenary meeting of UNHCR, the sixth conference of the International Research and Advisory Panel (IRAP) of the International Association for the Study of Forced Migration (IASFM) held in Gaza City in December 1998 and a number of region-specific international conferences on displacement, including the follow-up process to the CIS Conference on Forced Migration[12] and the international conference on Conflict and Forced Displacement in the Caucasus convened by the Danish Refugee Council in Copenhagen in September 1998. At this latter conference, a concluding statement from the Chair noted that the dissemination and the application of the Guiding Principles in the Caucasus would contribute to ensuring that the plight of internally displaced persons is addressed in a comprehensive manner.

43. Plans for worldwide dissemination of the Guiding Principles raise the issue of translation. In connection with their submission to the Commission, the Principles have been translated into all six official languages of the United Nations. In addition to their official language versions, the Principles also have begun to be translated into the local languages of countries affected by internal displacement. As noted above, UNHCR facilitated the translation of the Guiding Principles into Azerbaijani in connection with the Representative's mission to Azerbaijan. Also at the suggestion of the office of the Representative, the Georgian Young Lawyers Association has completed, with the support of UNHCR, the translation of the Principles into the Georgian language. In Angola, UCAH and its government counterpart, the Ministry of Social Affairs, jointly have provided for the translation of the Guiding Principles into Portuguese. Amnesty International has translated the Principles into Greek.

44. International interest in the Guiding Principles has generated renewed interest in the translation and dissemination of the legal studies on which they were based. While the second part of the Compilation and Analysis has been translated into all official United Nations languages, the first part of the Compilation, owing to its considerable length, remains available only in English. In resolution 1996/52, the Commission had requested the Secretary-General to publish (as a sales document) the first part of the Compilation. Reiterating this request in resolution 1997/39, it further called for the rapid publication of the Compilation in all of the United Nations working languages. The General Assembly, at its fifty-second session, welcomed this request of the Commission. The Office of the High Commissioner for Human Rights has published the Compilation in English, as No. 9 in its *Study Series on Human Rights* (Sales No. E.97.XIV.2), which has been disseminated widely since its release this spring. Possibilities for translating and publishing the study into the other official languages of the United Nations are being explored, particularly with regional and other intergovernmental organizations.

45. To promote the application of the Principles, the Representative has supported a number of initiatives providing practical guidance on them. An annotated version of the Guiding Principles explaining the legal provisions upon which they are based has been prepared by Dr. Kälin and will be published by the American Society of International Law and the Brookings Institution as a booklet this autumn.

46. In addition, and at the request of international organizations and NGOs, the Representative commissioned a *Handbook for Applying the Guiding Principles on Internal Displacement* that spells out the meaning of the Guiding Principles in non-technical language with a view to facilitating their practical application. Drafted by Dr. Susan Forbes Martin, an expert on forced migration, and supported by the Brookings Institution Project on Internal Displacement, the *Handbook* was reviewed by representatives of United Nations agencies and non-governmental organizations at a meeting convened by OCHA in New York in April. It is to be published by OCHA, with a foreword by the Representative, and disseminated to field offices this year.

47. The *Handbook* will be disseminated as part of a package, which includes a *Manual on Field Practice in Internal Displacement: Examples from UN Agencies and Partner Organizations of Field-Based Initiatives Supporting Internally Displaced Persons* also being published by OCHA, with a foreword by the Emergency Relief Coordinator. Prepared under the direction of UNICEF, with the support of OCHA and the office of the Representative, and finalized at a two-day expert meeting in March, this publication compiles more than 60 examples provided by IASC members and partner agencies of field programme initiatives supporting the application of the Guiding Principles. The purpose of the compilation is to stimulate practitioners in their own programme design for addressing the needs of the internally displaced. Judging from the process by which it was prepared, the *Manual* already has begun to serve this purpose, as additional examples of relevant field practice continue to be received. Indeed, a second, updated edition already is envisaged, with UNICEF continuing to act as focal point for the collection of additional examples.

48. Training in the legal norms dealing with protection of and humanitarian assistance to internally displaced persons, as well as practical measures for providing them with protection and assistance counts among the recommendations made by the IASC to enhance the capacity of the United Nations in the area of humanitarian assistance.[13] The Representative is very pleased to report that the development of an IASC training package on internally displaced persons currently is under way. The IASC Task Force on Training reconfirmed the need for inter-agency training material on internally displaced persons and requested OCHA to collect and evaluate relevant existing training material and, in collaboration with the Representative, to put forward a proposal on this basis. A meeting among IASC focal points on internally displaced persons in May 1999 reviewed the proposal and agreed that UNICEF and the Norwegian Refugee Council (NRC) would jointly act as focal points in the development of the training package.

49. NRC, in collaboration with the Office of the High Commissioner for Human Rights, already has begun to develop and deliver a training programme on internally displaced persons. In connection with a request from the Government of Uganda for training on internally displaced persons, draft training modules were prepared on a number of relevant issues: the definition of internally displaced persons; the legal origins of the Guiding Principles; protection from and during displacement; durable solutions of return or resettlement and reintegration; and a community-based perspective for programme response. These modules were tested at the above-mentioned 2 1/2-day training workshop held in Kampala in March 1999. As a clear sign of the success of the workshop, NRC is planning to support other national-level training workshops, including one in the Philippines in November 1999 in which the Representative is planning to participate.

50. The draft modules developed by NRC and OHCHR are among the existing training materials being drawn upon in the development of the IASC training package. The objectives of the inter-agency training package will be to promote the Guiding Principles, to increase sensitivity to the protection, assistance and development needs of internally displaced persons and to improve responses to those needs. Middle-level management and field level programme staff of United Nations agencies and international agencies as well as government authorities with responsibilities relating to internally displaced persons are the target audience. In terms of format, the training package will consist of a number of different modules which will be capable of standing on their own while also being part of a complete training programme. Among the subjects to be covered by the modules are: the definition of internally displaced persons; the legal origins of the Guiding Principles; the institutional framework; and the various phases of displacement — protection from arbitrary displacement, protection during displacement and durable solutions of return or resettlement and reintegration. A number of IASC members have undertaken to prepare individual modules, which will be reviewed by expert trainers and legal specialists before being submitted to the IASC for review. It is expected that the training material will be completed by February 2000 and that individual IASC members will use it as a basis for their own training initiatives on internally displaced persons, adapting it to suit their needs.

51. Training in the Guiding Principles must also extend beyond the IASC framework to address all those actors involved with internally displaced persons, including international and regional peacekeepers. In recognition of the need for such training, the Lester B. Pearson Canadian International Peacekeeping Training Centre invited the office of the Representative to present the Guiding Principles as part of its course on refugees and displaced persons in June 1998. Additional initiatives with international, regional and subregional peacekeepers need to be explored.

52. In summary, in the short time since their formulation, the Guiding Principles have rapidly gained wide recognition among States, the United Nations system, regional organizations and NGOs as a useful tool for addressing situations of internal displacement. The Commission on

Human Rights has welcomed the fact that the Representative has made use of the Guiding Principles in his dialogue with Governments and intergovernmental and non-governmental organizations, in particular in the framework of the seminars on displacement held last year under the auspices of the OAU, and requested him to continue his efforts in this regard. The Commission also has taken note with appreciation that United Nations agencies, regional organizations and NGOs are making use of the Guiding Principles in their work and has encouraged the further dissemination and application of the Guiding Principles.

## III. The institutional framework

53. While the Guiding Principles represent the culmination of efforts to create an appropriate normative framework for internally displaced persons, efforts to develop an effective and comprehensive institutional framework have yet to achieve such definitive results. Providing protection and assistance to internally displaced persons, the Secretary-General underscored in his July 1997 Programme for Reform, is a humanitarian issue that continues to fall between the gaps of the existing mandates of the various agencies (A/51/950, para. 186). Though this conclusion remains true today, a number of important steps towards narrowing the gap have since been taken.

54. To begin with, the Secretary-General has conferred upon the Emergency Relief Coordinator the responsibility for ensuring that the protection and assistance needs of internally displaced persons are effectively addressed by the international community. This responsibility, the IASC has specified in its Recommendations Related to the Review of the Capacity of the United Nations System for Humanitarian Assistance which were finalized in October 1998, includes: (i) global advocacy on both assistance and protection requirements; (ii) resource mobilization and the identification of gaps in resources for internally displaced persons; (iii) in consultation with external institutions, promotion of the establishment of a database and global information on internally displaced persons, including monitoring and issuance of periodic situation reports; and (iv) support to the field on related humanitarian issues, including negotiation of access to internally displaced persons.[14]

55. Supporting the Emergency Relief Coordinator in this role at the field level is the resident/humanitarian coordinator who, in full consultation with the inter-agency country team, is responsible for: addressing the humanitarian requirements of internally displaced persons before, during and after an emergency; serving as an advocate for the assistance and protection of the internally displaced; and recommending to the Emergency Relief Coordinator the division of responsibility among agencies for the internally displaced. In carrying out the last function, the resident/humanitarian coordinator has the option to recommend to the Emergency Relief Coordinator, in consultation with the in-country team and on a case-by-case basis, that a lead sectoral agency from among the relevant humanitarian organizations be designated to assume operational responsibility for internally displaced persons, including camp management where appropriate.[15] It is noteworthy in this regard that the IASC recognizes UNHCR's operational expertise and experience over many years in providing protection and assistance to internally displaced persons, as well as the fact that its involvement with the internally displaced is guided by specific criteria.[16] While the resident/humanitarian coordinators have held such responsibility for several years now, the IASC recently has recommended that the terms of reference for resident/humanitarian coordinators be amended to explicitly state their responsibilities with respect to internally displaced persons.[17] In the interim, the Emergency Relief Coordinator has drawn the attention of resident/humanitarian coordinators to their responsibilities in his letter to them providing the Guiding Principles.

56. At the Headquarters level, support to both the Emergency Relief Coordinator and the resident/humanitarian coordinators in discharging their responsibilities relating to internally displaced persons is provided by the IASC Working Group which, since September 1997, has assumed responsibility as the main inter-agency forum for consultation on all matters relating to internally displaced persons. Terms of reference for facilitating this aspect of the Working Group's functions were finalized in June 1998. Towards the overall goal of enhancing the response of the international community to the needs of the internally displaced, the IASC Working Group undertakes to: (i) regularly review all issues relating to internally displaced persons, ensuring that issues requiring attention and/or action by the Emergency Relief Coordinator and the IASC are submitted to them with specific recommendations; (ii) review, endorse and/or amend specific field coordination arrangements recommended by the resident/humanitarian coordinator and country management team, including strategies and division of institutional responsibilities for the provision of assistance and protection to, and the reintegration of internally displaced persons at country level; (iii) provide guidance to the resident/humanitarian coordinator on all issues affecting internally displaced persons through, *inter alia*, the development of global

strategies for ensuring protection, humanitarian/development assistance, and sustainable development solutions for internally displaced persons and support for the role of the United Nations High Commissioner for Human Rights; (iv) recommend to the Emergency Relief Coordinator ways and means to address obstacles in the provision of assistance to and protection of internally displaced persons, with particular attention paid to the special needs of vulnerable groups among them, including women, children and the elderly; (v) promote respect for and observance of international law and principles, including the Guiding Principles on Internal Displacement, which apply to the prevention of internal displacement as well as to assistance, protection, reintegration and sustainable development solutions for internally displaced persons; (vi) support the identification and development of best practices on internally displaced persons, and the use of these as the basis for programmes; (vii) provide support for all aspects of the mandate of the Representative of the Secretary-General on internally displaced persons and closely collaborate with the Representative in the discharge of his functions; (viii) ensure that the needs of internally displaced persons are fully taken into account in resource mobilization processes; (ix) support, oversee and evaluate the pilot phase of the database of internally displaced persons and provide feedback to further improve the database, its dissemination and use wherever appropriate; and (x) support and oversee the development and use of materials for training and capacity-building on the issue of internal displacement. To facilitate its undertaking of these various tasks, the IASC Working Group has made matters relating to internally displaced persons a standing item on its agenda.

57. Returning to the four broader responsibilities relating to internally displaced persons that are assigned to the Emergency Relief Coordinator, there have been important developments in each of these areas over the course of the reporting period. First, with respect to advocacy on assistance and protection issues, the Emergency Relief Coordinator and the Representative have met on several occasions to promote further collaboration. It should be recalled that the IASC had recommended that the Representative as well as the Emergency Relief Coordinator focus on advocacy for the protection and assistance of internally displaced persons.[18] One reflection of the collaboration between the Emergency Relief Coordinator and the Representative is their joint co-sponsoring of a briefing on internal displacement during the humanitarian segment of the Economic and Social Council in 1998. The Representative and the Emergency Relief Coordinator also have exchanged views on specific country situations, especially following missions by either one of them to examine situations of internal displacement. Moreover, the Emergency Relief Coordinator has invited the Representative to present the findings and recommendations of his country missions and other observations to the Executive Committee on Humanitarian Affairs and the IASC.

58. The Emergency Relief Coordinator and the Representative also have considered it essential to involve the High Commissioner for Human Rights in their discussions of joint strategies for advocacy on protection and assistance for the internally displaced. A tripartite meeting among them to discuss their respective roles reflected that while the Emergency Relief Coordinator focused on the humanitarian assistance side of internal displacement and the High Commissioner for Human Rights focused on protection, the role of the Representative is to try to link the two aspects to ensure a comprehensive response to the needs of internally displaced persons. The assistance of both offices in the guidance and preparation of the Representative's country visits and, especially, in the follow-up to them is considered essential. Joint stands and mutual support for addressing particularly difficult situations of internal displacement that pose a challenge to international cooperation were contemplated as a potentially effective means of overcoming these obstacles.

59. To enhance collaboration in the area of protection, the Emergency Relief Coordinator, High Commissioner and the Representative commissioned a joint paper on the subject. The resulting paper on the protection of internally displaced persons examines the nature and content of protection for the internally displaced, provides an overview of the roles and responsibilities of national and international implementing actors in protection and sets out a number of strategic areas of activities towards ensuring that these protection responsibilities are discharged effectively. With a view to stimulating a broader discussion among the variety of international actors with a role to play in the protection of the internally displaced, the paper was shared with the IASC Working Group at its meeting of 29 January 1999. The paper was favourably received by the Working Group, which decided to use it as a basis for the preparation of an IASC-wide policy paper on protection for IDPs. To this end, IASC members were encouraged to share the paper with their staff, especially those in the field, and to contribute comments on the paper, including specific protection strategies that they are undertaking or developing in the various strategic areas of protection outlined in the paper. A one-day inter-agency meeting convened by OCHA in May enabled constructive discussion among IASC members on the subject of

protection. A revised paper is to be presented to the IASC Working Group at its meeting of 17 September for adoption and referral to the IASC for endorsement in December 1999.

60. The Emergency Relief Coordinator's second area of responsibility, relating to resource mobilization, is of critical importance given the absence of reliable funding for meeting the needs of the internally displaced. At the workshop on internal displacement in Africa, for example, several participants noted the discrepancy in the resources made available for addressing the needs of internally displaced persons, compared with those allocated for refugees. Opportunities for addressing this concern have arisen with the Emergency Relief Coordinator's introduction into the consolidated appeals process (CAP) of a new approach towards planning the United Nations system's response to emergency situations and developing a common humanitarian action plan or strategy for alleviating suffering and promoting recovery. The Representative, in response to a letter from the Emergency Relief Coordinator to the IASC outlining these plans for the CAP, advocated that the new humanitarian strategy systematically address the particular protection and assistance needs of internally displaced persons since many of the countries for which CAPs are prepared are situations of internal displacement. A proposal to this effect was put forth by the office of the Representative to the IASC Working Group at its 18 September 1998 meeting. The IASC Working Group concurred with this suggestion by calling for it to be applied to the preparation of the CAP documents for 1999 that was under way at the time. The need to integrate into the CAP on an ongoing and systematic basis, attention to the needs of internally displaced persons, since has been reinforced a number of times by IASC members. Doing so would be an important means of injecting the required predictability into efforts of resource mobilization for addressing the needs of the internally displaced.

61. Aside from the CAP, the IASC's standing invitation to the World Bank also is relevant to the issue of resource mobilization for the internally displaced. The World Bank has decided to undertake efforts for the reintegration of displaced persons as part of its new area of activity in post-conflict reconstruction and is considering the most appropriate ways to achieve this.[19] In Azerbaijan, the Representative witnessed first-hand the commitment of the World Bank to support the sustainability of the return process for internally displaced persons. Owing to its increasing involvement with the internally displaced, the recent invitation for the World Bank to participate in the IASC and its subsidiary bodies is most welcome.

62. The third area of responsibility for the Emergency Relief Coordinator on the issue of internal displacement relates to information management. On account of the fact that there exists no mechanism within the United Nations system for systematically collecting, receiving and analysing information on internal displacement, the establishment of a global information system on internally displaced persons has long been advocated by the Representative. The pool of information required for such a system includes the causes and patterns of internal displacement, the degree of access that affected populations have to basic services, their protection concerns, the capacity and willingness of Governments to address their protection and assistance needs, and the response of the international community to their plight. Gender-specific information, including the number and the specific needs of female-headed households and school-age girls, also is required. The General Assembly, in resolution 52/130, urged all relevant humanitarian assistance and development organizations, especially through the IASC, to develop, in cooperation with the Representative, a more comprehensive and coherent system of collecting data on the situation of internally displaced persons.

63. At the recommendation of the Emergency Relief Coordinator and the Representative, the IASC Working Group agreed to oversee the development of a database on internally displaced persons. It outsourced the task of undertaking a six-month feasibility study on the establishment of the database to the Norwegian Refugee Council (NRC). OCHA, UNDP, UNHCR, UNICEF and WFP agreed to provide financial support for this process. Upon completion of the feasibility study and the review of its findings, including by the inter-agency Reference Group on the database in which the office of the Representative participates, the IASC Working Group decided at its 26-27 November 1998 meeting to encourage the NRC to proceed with the implementation of the database. At the same time, the IASC Working Group recognized that full implementation of the project would require further refinement and review of a number of issues, such as the sensitivity of data, the total budget amount, the database objectives and the agreed list of indicators, and accordingly encouraged the NRC to promote inter-agency consultations to address these issues, specifically through the Reference Group. The IASC Working Group encouraged all IASC members to collaborate and participate in the implementation of the project and to demonstrate their commitment by contributing resources and by supporting the NRC in its efforts of resource mobilization with donors.

64. The objectives of the database have been agreed to be as follows: to offer central access to information regarding internally displaced persons; to support the mandates of the IASC, the Emergency Relief Coordinator and the Representative through the provision of up-to-date, accurate information on internal displacement in a standardized format that will allow cross-country comparison; to assist humanitarian organizations in field operations by complementing existing information networks on the internally displaced; to contribute to the harmonization of information management practices on internal displacement among humanitarian agencies by promoting common standards for data collection, common definition of indicators and standard methodology; to become a major NGO focal point for advocacy and information on the protection and assistance needs of the internally displaced; and to assist in measuring the impact of the Guiding Principles by monitoring situations of internal displacement worldwide.

65. The database is intended to serve as a one-stop information centre on the global crisis of internal displacement and a centralized archive of reference material on the issue. The process of data collection is being conducted according to an incremental approach. In the first phase, information is being gathered from a limited number of sources currently available in the public domain, including the country mission reports of the Representative. Phase two will involve a more proactive approach to data collection, in particular through the expansion of information sources and the development of an information network of focal points from national and international NGOs, United Nations agencies, academic institutions and regional organizations engaged in the issue of internal displacement. These focal points will be encouraged to submit reports for inclusion in the database.

66. In terms of format, the database is organized into country profiles. These, in turn, are organized according to a number of themes, namely: the background and causes of displacement; population profile and figures; patterns of displacement; protection concerns; subsistence needs; access to education; issues of self-reliance and public participation; documentation needs and citizenship; issues of family unity, identity and culture; property issues; patterns of return and resettlement; humanitarian access; and national and international responses. For each country, there exists a summary providing an overview of each of these themes and, in particular, recent developments. Links to the sources cited in the country profile (including full-text electronic links where available) also are provided, making the database an invaluable research tool.

67. In early September, a preview version of the database covering 10 countries was launched for the use and evaluation of IASC members. Specifically, the 10 county profiles concerned: Angola, Azerbaijan, Bosnia and Herzegovina, Burundi, Myanmar, Peru, Sierra Leone, Somalia, Sri Lanka and Uganda. In December, at which point it is expected to contain 15 country profiles, the database will be made available for public use, including by means of a link with the OCHA-run ReliefWeb. All countries affected by internal displacement (currently estimated at over 50) eventually will be included. It is expected that country profiles regarding crisis situations will be updated every three months, while more static situations will be revised twice a year.

68. Regularly updated information on situations of internal displacement is essential to ensuring that specific situations of internal displacement warranting the attention of the international community are not overlooked or forgotten. Having long advocated the development of an integrated information system on internally displaced persons and especially now having seen a preview of the database, the Representative is all the more convinced that a comprehensive global information system on internal displacement, as contained in the database, is a prerequisite to enhancing responses to needs of internally displaced persons worldwide. Accordingly, the Representative hopes that IASC members and donor Governments will provide the NRC with the necessary financial support to ensure the maintenance and further development of the database.

69. The fourth responsibility of the Emergency Relief Coordinator relating to internally displaced persons, to provide support to the field, including the negotiation of humanitarian access, is purposefully broad in scope in order to allow flexibility in responding to specific needs as they arise. The Guiding Principles, which contain a number of provisions relating to humanitarian access, should support the Emergency Relief Coordinator's efforts in this regard.

70. Support to the field in ensuring that the protection and assistance needs of the internally displaced are met can, as the terms of reference of the IASC Working Group recognize, take many forms. These include reviewing the specific field coordination arrangements recommended. In this connection, OCHA recently has begun to undertake country-by-country reviews of protection and assistance arrangements for internally displaced persons. On the basis of the findings of this review, the IASC Working Group could, in keeping with its terms of reference on internally displaced persons, make recommendations for strengthening these arrangements, wherever room for improvement exists.

71. In all of his areas of responsibility, the current Emergency Relief Coordinator, Sergio Vieira de Mello, who assumed his post on 1 January 1998, has demonstrated a keen interest in the issue of internal displacement and in forging a strong cooperative relationship with the Representative. Since his appointment, the Emergency Relief Coordinator and the Representative have held a number of fruitful discussions for the purpose of strengthening their capacities to address the global problem of internal displacement. The Emergency Relief Coordinator has stated from the outset that his responsibilities relating to internally displaced persons rank high on OCHA's list of priorities and, indeed, the past year has provided strong evidence of this commitment.

72. To begin with, the Emergency Relief Coordinator took the necessary steps to activate the Representative's recommendation, the implementation of which was encouraged by the Commission (resolution 1998/50), that relevant humanitarian and development organizations should each designate a focal point on internally displaced persons. Specifically, the Emergency Relief Coordinator wrote to all agencies of the IASC asking them to designate such a focal point. This system of focal points, which is now coming into place, has proven to be an important means of facilitating inter-agency collaboration on all matters relating to internally displaced persons, by identifying individuals within each organization or agency who are familiar with the issue of internal displacement and of the various initiatives being undertaken in inter-agency frameworks to address it.

73. Of course, the effective functioning of such a network of focal points requires a coordinating mechanism. To fulfil this function, the Emergency Relief Coordinator agreed to establish within OCHA the post of Senior Adviser on Internally Displaced Persons, recruiting such a person with support from the Government of Switzerland. In addition to acting as the central point in the network of focal points with reporting responsibility primarily to the Emergency Relief Coordinator, it was agreed that the Senior Adviser would support the Representative in discharging the responsibilities of his mandate, especially in inter-agency frameworks. This arrangement came into place in the spring of 1999.

74. In his capacity as the Chair of the IASC, the Emergency Relief Coordinator likewise has demonstrated strong leadership, of the type that the Representative previously has noted was required to ensure that inter-agency consultations result in a more comprehensive and coordinated response to internal displacement. In addition to supporting the various initiatives on internally displaced persons being undertaken within the IASC framework, the Emergency Relief Coordinator also has ensured that the issue of internal displacement is placed firmly on the IASC agenda. This support has taken the form of creating an environment in the meetings of the IASC and its Working Group conducive to the active participation of the Representative (who has been a standing invitee to these forums since September 1997) or his staff. Over the course of the past year, the Representative has found that the majority of the issues addressed within the IASC framework — whether relating to the promotion of protection principles, the humanitarian impact of sanctions, gender and humanitarian assistance or to specific country situations — are relevant to the internally displaced. As such, the change from the previous arrangement, according to which the Representative was to be invited to the IASC meetings only on an ad hoc basis, has proven to be particularly positive for the work of the mandate. The General Assembly has welcomed the decision of the IASC to extend a standing invitation to the Representative and encouraged further strengthening of this collaboration in order to promote better assistance, protection and development strategies for internally displaced persons.

75. One important way in which collaboration between the Representative and the IASC has been strengthened is the inclusion, at the recommendation of the Representative, of the issue of internally displaced persons as a standing item on the agenda of the IASC Working Group. To date, the issues considered under this agenda item have included: specific country situations; finalizing the IASC Working Group terms of reference on internally displaced persons; reviewing progress on all ongoing initiatives, namely the promotion of the Guiding Principles, the development of the database, the compilation of field practices and the development of training material; and briefings by the Representative on the consideration of the issue of internally displaced persons by the Commission on Human Rights at its previous session and on the activities of the mandate, including country missions. In this last regard, the Representative has been invited to present the findings of his recent follow-up mission to Colombia to the IASC Working Group at its scheduled meeting of 17 September at which point OCHA, which participated in the mission, will present a proposal for enhancing the international response to the needs of the internally displaced in that country.

76. In addition to examining and working to enhance institutional arrangements for the internally displaced in international frameworks, for several years now the Representative also has undertaken parallel efforts at the regional level. The findings of the Representative in this regard have been highlighted in previous reports. More

detailed information on the role of regional as well as subregional organizations with internally displaced persons and specific recommendations as to how this role can be enhanced have been set out in the comprehensive study on internal displacement, *Masses in Flight: The Global Crisis of Internal Displacement*, co-authored by the Representative and human rights specialist Roberta Cohen and published by the Brookings Institution in 1998.[20] As a follow-up to the study, the Representative has begun to intensify his cooperation with regional as well as subregional organizations in order to promote their active engagement in addressing the protection and assistance needs of the internally displaced. The Commission on Human Rights has welcomed the initiatives undertaken by regional organizations, such as the OSCE, the OAU and the OAS, to address the assistance, protection and development needs of internally displaced persons, and encouraged them to strengthen these activities and their cooperation with the Representative.

77. Greater engagement on the part of regional and subregional organizations with the issue of internal displacement is being promoted in particular through a series of regional workshops on internal displacement that the Representative is co-hosting, with the support of partner organizations. The objective of these workshops is to promote the dissemination and application of the Guiding Principles throughout the region concerned and to explore ways of enhancing regional, subregional and local approaches to the problem of internal displacement.

78. As mentioned earlier, the first such workshop, focusing on the problem of internal displacement in Africa, was held in Addis Ababa on 19 and 20 October 1998. As Africa is the continent most seriously affected by the problem of internal displacement, it was only appropriate to give priority to this region. Several of the recommendations formulated by the workshop pertain to enhancing the role of Africa's regional and subregional organizations in addressing the problem of internal displacement. Welcoming the OAU's growing interest and involvement in the issue of internal displacement, the workshop encouraged the OAU as well as Africa's subregional organizations to endorse, disseminate and promote the Guiding Principles on Internal Displacement. The workshop also identified four additional ways in which the regional and subregional organizations of Africa could address the issue of internal displacement more effectively. First, the OAU could establish within its secretariat a focal point, and possibly even a dedicated unit, for the issue of internal displacement. This focal point or unit could, *inter alia*, collect data on internal displacement in Africa and monitor the dissemination and implementation of the Guiding Principles. Second, regional and subregional organizations in Africa could assist the work of the Representative by facilitating his field missions and by ensuring that he is able to appraise and report on the situation in African countries. Third, when peacekeeping or peace enforcement operations are launched by regional and subregional organizations in Africa, these should include a civilian component, staffed by officials who are familiar with international human rights and humanitarian law. At the same time, such operations could benefit from better training, stricter controls, more effective codes of conduct and higher levels of accountability. Close and continuous monitoring by the OAU and the United Nations would provide a means for these objectives to be achieved.

79. Building upon the experience of the Addis Ababa workshop, similar meetings are being held in other regions of the world. To coordinate the convening of these meetings, as well as other activities and research relating to internal displacement, a consortium consisting of the Brookings Institution Project on Internal Displacement, the United States Committee for Refugees and the NRC/Global IDP Survey has been formed. The United States Committee for Refugees took the lead in organizing the aforementioned workshop on internal displacement in Colombia, which was held in Bogotá from 28 to 30 May 1999 and co-sponsored by the Brookings Institution Project and a group of Colombian NGOs working with the displaced. In addition to promoting awareness and use of the Guiding Principles, this meeting aimed to strengthen local capacities and networks among the many non-governmental organizations in the region which already are actively engaged in the issue of internal displacement and strengthen dialogue between the NGO community and the Government. A report of the workshop will be presented by the Representative to the Commission at its next session. For South and South-East Asia, the consortium, in collaboration with UNHCR and local groups and research institutions in Thailand, will convene a regional conference in Bangkok in February 2000.

80. Parallel to this process of convening region-wide conferences, seminars also are being organized at the national level in certain countries. In July 1998, a seminar on "Internally displaced people: international commitments" was co-hosted by the NRC/Global IDP Survey and the Overseas Development Institute of the United Kingdom. This seminar, in which the office of the Representative and a member of the legal team which drafted the Guiding Principles participated, brought together non-governmental organizations, academic researchers and UNHCR officials based in the United Kingdom to discuss the Guiding Principles, the role of UNHCR in the protection of internally

displaced persons and case-study presentations on Colombia and the Sudan. In March 1999, there was a workshop on the Guiding Principles co-hosted by the NRC/Global IDP Survey and the Government of Uganda, and in which the office of the Representative played a supporting role. This workshop brought together government officials and local non-governmental organizations working directly with the internally displaced, as well as representatives of displaced communities, to explore ways of applying the Guiding Principles in order to strengthen national and local responses to the serious situation of internal displacement in that country. Plans made by the Brookings Institution Project on Internal Displacement, the Open Society Institute and OSCE Kosovo Verification Mission to host a workshop for local NGOs working in Kosovo and other parts of the former Yugoslavia, which was to have been held in the former Yugoslav Republic of Macedonia in June 1999, were overtaken by the tragic events, involving a severe escalation in the displacement crisis and security concerns, which unfolded in the region this spring. The Representative currently is exploring with the OSCE the possibility of jointly convening in Georgia a workshop on the Guiding Principles which would focus on issues of concern identified in the course of the Representative's forthcoming mission to that country. A number of Governments have expressed an interest in hosting, in cooperation with the Representative, similar such national-level workshops on internal displacement.

81. These various conferences and workshops, which provide a major focus of activity for the mandate at present, should help to strengthen the institutional framework at the regional, national and local levels as well as among them and with the international community.

## IV. The country focus

82. The effectiveness of developments at the international, regional and national levels will, of course, best be measured by the actual conditions of the internally displaced on the ground. Country missions remain the most effective means of gaining insight into the problem of internal displacement in a particular country and the extent to which it is being addressed. To date, the Representative has undertaken 14 country visits in connection with the mandate: to Azerbaijan, Burundi, Colombia (twice), El Salvador, Mozambique, Peru, the Russian Federation, Rwanda, Somalia, Sri Lanka, the Sudan, Tajikistan and the former Yugoslavia. Since the Representative last reported to the General Assembly, he has undertaken a country visit to Azerbaijan in May 1998 (see E/CN.4/1999/79/Add.2) and a follow-up mission to Colombia in May 1999, the main findings of which will be summarized in greater detail in the mission report to be submitted to the Commission at its next session.

83. In Azerbaijan, the Representative was struck by the sense of solidarity between the Government and the displaced. This feature stems from the nature of the conflict causing the displacement, which has an external dimension, and the ethnic kinship existing between the national authorities and the overwhelming majority of the internally displaced. As a result, and unlike in many other countries, the internally displaced of Azerbaijan are not associated by the authorities with the "enemy" and targeted for abuses and attack on that basis. Serious problems relating to the protection of the life and physical security of the displaced, as often arise in situations of internal displacement, do not appear to exist. Nevertheless, the Representative found that in terms of the rights to food, to shelter, to basic health care, to education, to employment and to freedom of movement, there were significant needs warranting attention.

84. While the international community has undertaken considerable efforts towards meeting the basic needs of the internally displaced of Azerbaijan, after several years of continuing to provide emergency-type assistance long after the initial crisis had passed, donors and humanitarian agencies alike are looking to pursue more durable solutions. Notably, the displaced themselves are becoming weary of being dependent upon handouts and are anxious to become self-reliant. Impeding progress in this regard, however, has been the overriding emphasis placed by the Government on the solution of return. While the return of the internally displaced to their home areas is a goal that the affected populations themselves clearly share, they also recognize that it must be contingent upon an end to the conflict and guarantees for their safety. In the absence of a resolution to the conflict, it is difficult to predict when these conditions will be met. Meanwhile, many of the displaced remain in temporary accommodations, including weather-worn tents, dilapidated railway cars and overcrowded public buildings, left in a legal, social and economic limbo that is nothing short of inhumane.

85. Under these circumstances, there is an urgent need to pursue, in parallel to the process for peace and the possibility of return that it holds, alternative or at least interim solutions for the internally displaced. In particular, greater support on the part of the Government for training programmes, income-generating activities and the construction of more permanent shelter for the displaced was recommended. While resource constraints may limit the Government's ability to meet the material needs of the displaced, the Representative noted

that there are several important measures, involving little or no financial implications, which the Government could undertake to improve its response. These include: improving coordination between national and local authorities involved in addressing the plight of the displaced; reforming legislation governing the activity of non-governmental organizations in order to create an environment more supportive of their work; safeguarding the right to freedom of movement and choice of residence for the displaced; and ensuring that internally displaced persons are not excluded from or otherwise negatively affected by the process of land privatization currently under way. The implementation by the Government of such initiatives would provide the international community with a strong indication of willingness on the part of the Government to assume, to the extent possible, its responsibilities towards its own people and, consequently, could help to convince the international community to continue to assist the national authorities in meeting the humanitarian as well as development needs of the displaced.

86. Over the course of the mission, the Representative detected a willingness on the part of government officials to work towards promoting the self-reliance of the displaced while at the same time strengthening its own capacity to meet their immediate basic needs. International agencies and the donor community, with whom the Representative shared this finding, noted that they welcomed it and would be interested in working with the Government in that direction. On the basis of those indications, the Representative began to explore with government officials and representatives of the humanitarian, development and diplomatic community the possibility of convening a meeting for the purpose of devising a common strategy for meeting the immediate, medium and long-term needs of the internally displaced of Azerbaijan. The Representative is pleased to report that such a meeting has indeed been held, jointly convened by the Government, United Nations organizations in Azerbaijan and the World Bank, to discuss developments in the Government's current strategy for addressing the humanitarian situation in the country, including by supporting more durable solutions for the internally displaced. A presidential decree of 17 September 1998 sets out the Government's revised strategy in this latter regard which has two main objectives. First, internally displaced persons who currently reside in camps, settlements or public buildings and who originate from areas that have been "liberated" are to be supported in returning to their former homes, while those originating from districts which are still partially occupied or considered unsafe will be offered the opportunity to relocate to compact settlements at accessible locations within these districts, with access to land suitable for farming and the raising of livestock. Second, the living conditions of those internally displaced persons remaining in camps and public buildings are to be improved by creating income-generating opportunities and, where needed, continued provision of humanitarian assistance. This strategy was scheduled to be finalized with partner United Nations agencies and the World Bank in the autumn of 1999. The Representative is encouraged by the rethinking of both national and international responses to the plight of Azerbaijan's internally displaced that has followed his visit and will be interested in learning of the results to ensue from this and any further such developments.

87. Follow-up is a particularly important aspect of country visits. Often, as in the case of the mission to Azerbaijan, very specific suggestions are made which require implementation. It is important that information about their implementation be communicated to the Representative so that he can adjust his monitoring and advocacy efforts accordingly and give credit where it is due. When recommendations are not implemented, informing the Representative of the obstacles faced could facilitate their eventual realization. For instance, implementation might be impeded for want of resources; bringing this problem to the attention of the Representative would allow him to raise the issue with those in a position to respond. The General Assembly, in addition to thanking Governments which have invited the Representative to visit their countries and encouraging others to do so, also has invited them to give due consideration, in their dialogue with the Representative, to his recommendations and suggestions and to make available information on measures taken thereon.

88. Ideally, of course, follow-up would take the form of a return visit by the Representative. The number of countries with internal displacement which the Representative potentially could visit compared with the limited resources presently at his disposal means that this is not a realistic option as a primary means for follow-up. Nonetheless, it is important to pursue possibilities in this regard, particularly relating to countries where the situation of internal displacement has deteriorated or has changed considerably with new needs having arisen. This unfortunately is the case in a number of the countries that the Representative has visited, including Burundi, Rwanda, Somalia, Sri Lanka, the Sudan and those of the former Yugoslavia. It is also very true of the situation of internal displacement in Colombia, which the Representative had the opportunity to reassess first-hand during a follow-up visit at the end of May — the first follow-up mission undertaken by the mandate.

89. Since the Representative's initial visit to Colombia in 1994, the situation of internal displacement has deteriorated significantly to now affect an estimated 1 million persons, with new displacements continuing to occur at the time of writing this report. Although the Government of Colombia has undertaken a number of measures towards improving its response to internal displacement, in particular in recognizing violence as the cause of displacement, adopting legislation and designating institutional mechanisms to address the problem, the Representative found that most of the recommendations of his 1994 visit (see E/CN.4/1995/50/Add.1) remain relevant today. The legislation adopted suffers from a lack of implementation as well as comprehensiveness in meeting the needs of the displaced. Institutional responsibilities, especially for protection and prevention, require clearer definition. Unreasonable rules govern the process by which the displaced become "certified" as such, to the effect of impeding for many their access to assistance, medical care, education and other public services. The need for greater decentralization of responsibility, commensurate with resources, for the internally displaced remains.

90. As displacement is a strategy of war, an end to the conflict is essential to halting the upward trend in the number of persons displaced in Colombia and to finding a durable solution for the hundreds of thousands already uprooted. In this connection, the peace process initiated by President Pastrana and his concurrence with the Representative that displacement should be made a key element of the human rights and humanitarian components of the peace process is a bold and most welcome move that merits international support. At the same time, measures must be taken to address the pressing and present needs of the internally displaced. Elements of a comprehensive strategy to this end should include: effective responses by the authorities to prevent and protect against arbitrary displacement, especially when this is forewarned; respect by combatants of international humanitarian law and the protection it provides for the civilian population; protection of the physical security of the displaced and those advocating on their behalf; timely and adequate assistance to address the needs of the displaced, including for food, water, shelter, medical care, documentation, education, training and income-generation, with special attention paid to the particular needs of women and children who make up the majority of the displaced; guarantees of physical safety for the return or resettlement of the displaced; and restitution or compensation for possession of land and property lost as a result of displacement.

91. The Representative's mandate engages him in dialogue not only with Governments in the countries concerned, but also with the international organizations and agencies with a role to play in meeting the protection and assistance needs of the internally displaced. In his previous report to the General Assembly, the Representative highlighted the need to establish a greater international presence in the country. In this connection, the Representative wrote to the United Nations High Commissioner for Refugees, calling upon her Office to become engaged with the situation of internal displacement in Colombia by establishing a presence in the country. He also wrote to the United Nations High Commissioner for Human Rights, to advocate the strengthening of the presence of the Office of the High Commissioner in the country and the establishment of a continuous presence in affected areas outside the capital. The subsequent decisions of UNHCR to establish an office in Bogotá and play a leading role in the international response to the internal displacement crisis, and of the Office of the High Commissioner for Human Rights to strengthen the capacity of its presence in the country and to designate a focal point on internally displaced persons are thus welcome. As the follow-up mission confirmed, however, there remains a need for the Office of the High Commissioner for Human Rights, UNHCR and other relevant United Nations agencies to strengthen their presence still further in order to allow the establishment of field offices. Greater attention to the humanitarian needs of the displaced also is required of the international community. Coordination arrangements need to be strengthened. It is to be hoped that the IASC Working Group's consideration of the findings of the Representative's mission at its meeting of 17 September will result in a response to such concerns.

92. Looking ahead, missions to Georgia and Armenia are scheduled for October 1999. The Representative also has requested an invitation to visit from the Governments of Angola and Turkey and very much hopes that affirmative replies to these requests will be forthcoming.

93. In addition to country visits, there are other ways of focusing on specific situations of internal displacement and the national and international responses to them. As noted in section II, there is the IASC framework in which concerns about specific situations can be raised either under the standing agenda item on internally displaced persons or in the IASC Working Group's consideration of humanitarian concerns in particular country situations. In addition to participating in the discussions on the particularly acute crises on the IASC's agenda, the Representative can also work to ensure that other serious situations of internal displacement are not neglected or forgotten by such forums.

A case in point is the Representative's circulation among IASC members in 1998 of a background paper on the situation of internal displacement in Uganda and his recommendation that the IASC Working Group hold substantive discussions on it. Further to this end, OCHA commissioned a consultant to undertake a field study of the humanitarian issues raised by the Government's policy of establishing "protected villages" of displaced persons as a response to the conflict in northern Uganda; it is to be hoped that this study will be shared and discussed within the IASC Working Group.

94. Outside the IASC framework, the Representative himself can, of course, convene ad hoc meetings of experts to focus on situations of internal displacement. The recommendations of such meetings then can be disseminated to the IASC membership, government officials and the media. This was done in the case of Kosovo. In September 1998, the Representative, with the support of the Brookings Institution Project, convened in Washington, D.C. an ad hoc working group on the protection of persons under threat in Kosovo. This meeting formulated a number of specific recommendations addressed to the United Nations, the international community and the Government of the United States. Among the recommendations to the United Nations and the international community was a call to provide the Office of the High Commissioner for Human Rights with adequate resources to enable it to increase its presence in the field, evaluate and report on protection concerns, conduct an assessment of the legal system, engage in monitoring and visits to detainees in cooperation with the ICRC and, when appropriate, assist UNHCR in determining when conditions exist for return in safety and dignity. UNHCR, for its part, was encouraged to expand its presence in Kosovo and to be given all necessary support for doing so. Other United Nations agencies also were encouraged to consider expanding their operations in Kosovo to meet the growing humanitarian needs. The need to ensure the protection of the staff of local non-governmental organizations was underscored. While international involvement in Kosovo since has expanded considerably, both in magnitude and in the range of actors involved, a number of these recommendations remain relevant, particularly regarding the need to ensure the safety of return and to protect against arbitrary displacement, which is ongoing.

95. More globally, attention has been drawn to a number of country situations throughout the world by four recent publications. *Masses in Flight: The Global Crisis of Internal Displacement*, the comprehensive study co-authored by the Representative and Roberta Cohen and undertaken at the request of the Secretary-General, includes a global overview of the various situations of internal displacement worldwide. A companion volume, entitled *The Forsaken People: Case Studies of the Internally Displaced* (Brookings, 1998), which was co-edited by the Representative and Roberta Cohen, contains 10 case studies from the various regions of the world: Burundi; Rwanda; Liberia; the Sudan; the countries of the former Yugoslavia, the North Caucasus, Azerbaijan, Armenia and Georgia; Tajikistan; Sri Lanka; Colombia; and Peru. Those case studies examining countries visited by the Representative contain updated information on the situation and an analysis of the extent to which the recommendations made in his reports on those missions have been carried out. At the suggestion of the Secretary-General, an abridged, illustrated and more popularized version of the study has been prepared to reach wider audiences. Entitled *Exodus Within Borders: An Introduction to the Crisis of Internal Displacement*, it was written by David A. Korn, a former diplomat and author, and was published by Brookings in the spring of 1999. The NRC/Global IDP Survey's aforementioned *Internally Displaced People: A Global Overview*, published in 1998, and its undertaking of the Global IDP Database project currently under way also are relevant in providing country-specific analyses of the conditions of the internally displaced and indications of the nature and effectiveness of efforts to address these.

## V. An agenda for research

96. Studying ways and means for improved protection for and assistance to internally displaced persons provided the initial rationale for the creation of the mandate in 1992. To begin, there was the comprehensive study of the problem with which the Representative initially was charged. There followed, after several years of intensive study, the two-part Compilation and Analysis of the legal norms pertaining to the internally displaced which ultimately led to the formulation of the Guiding Principles. Meanwhile, the study of institutional arrangements within international, regional and non-governmental frameworks has been ongoing, with developments in this regard consistently forming a key component of the reports of the Representative to the Commission and the General Assembly. So too has attention to the particular needs of internally displaced women and children, who typically constitute the overwhelming majority of internally displaced populations and to whose specific concerns the Assembly has asked the Representative to pay particular attention. The study of specific country situations, meanwhile, has been undertaken by means of country visits by the Representative who subsequently has detailed his findings and set out recommendations in the series of reports

of country profiles in displacement that have been presented to the Commission and General Assembly.

97. Bringing together these various aspects of research undertaken by the mandate are the three aforementioned publications, *Masses in Flight*, *The Forsaken People* and *Exodus Within Borders*. With the completion of these studies, the major task of studying the global crisis of internal displacement and existing legal and institutional frameworks for addressing it largely is complete. There nonetheless remain areas where additional research and thinking are required.

98. Strategies still need to be developed for approaching the problem of internal displacement when it occurs in countries that either do not acknowledge the problem or do not permit international involvement with displacement within their borders. To date, the countries upon which the Representative has been able to focus attention, through country visits, have been those that acknowledge the problem and are cooperative insofar as they permit the Representative to study it first-hand. For several years now, the Commission has called upon all Governments to facilitate the activities of the Representative, in particular those Governments with situations of internal displacement which have not yet extended invitations or responded positively to requests for information from the Representative. Clearly, it is not acceptable that countries experiencing serious problems of internal displacement should be able to evade international scrutiny and, in some cases, also deny their internally displaced populations international assistance and protection. The most appropriate way to approach this problem, however, remains unclear. A conference devoted to this issue, which brought together academics and practitioners, was co-sponsored by the Brookings Institution Project on Internal Displacement and the United States Committee for Refugees in Washington at the end of January 1999. The discussions were framed around the situations of internal displacement in Algeria, India, Myanmar and Turkey, on which background papers were prepared and strategies developed. Country reports are being finalized by the United States Committee for Refugees and will be published later in 1999. An article about the conference will be published in the *Forced Migration Review* in December 1999.

99. There is also the issue of non-State actors. The nature of contemporary conflict means that large numbers of internally displaced persons live in areas not under government control. How to address the plight of the displaced in such circumstances poses challenges for a State-based international system and, as a product of this system, the mandate of the Representative. In particular, questions arise of how to hold non-State actors accountable to international standards and principles. The Guiding Principles recognize that not only States but all other authorities, groups and persons have responsibilities for protecting and assisting internally displaced populations in territories under their effective control. As noted above, the Representative and non-governmental organizations already are undertaking to bring the Guiding Principles to the attention of non-State actors. In this connection, there is a need to focus more on monitoring the activities of non-State actors and developing strategies for engaging with them for the protection and assistance of the internally displaced.

100. A third theme of research in the coming year will examine donor policies towards the issue of internal displacement. Research exploring the ways in which donors approach the subject of internal displacement and the nature of the specific activities they fund, through both bilateral and multilateral assistance, for addressing the plight of internally displaced persons currently is being conducted under the auspices of the Brookings Institution Project.

101. Fourth, continued research into the particular needs of internally displaced women and children is required. The Assembly has welcomed the specific attention paid by the Representative, over the course of his mandate, to the special assistance, protection and development needs of internally displaced women and children and encouraged him to continue to draw attention to those needs. In this connection, the office of the Representative assisted with the recent papers prepared by UNICEF on the needs of internally displaced women and children and, in conjunction with the Women's Commission for Refugee Women and Children, on the gender dimensions of internal displacement.[21] The office of the Representative, for its part, presented a paper on internal displacement and gender to the Humanitarian Principles Workshop: Focus on a Child Rights Approach to Complex Emergencies and Internal Displacement hosted by UNICEF in Brussels in October 1998.

102. It also participated, as noted above, in the OAU seminar on Enhancing the Participation of Returnees, Refugees and Internally Displaced Women and Children in Reconstruction, Rehabilitation and Peace-Building, held in Addis Ababa, also in October. In his statement to the seminar, the Representative stressed the importance of initiating reintegration and development programmes for women and children while they are still uprooted so as to prepare them more effectively for return and reintegration. In particular, the Representative recommended that women should be regularly included in large-scale development projects such as reforestation, reconstruction and other non-traditional activities. Citing a number of different ways of

achieving this, he underlined that incorporating support services in the projects could increase women's participation. So too could affirmative action clauses stipulating equal pay and access for women. While there exist encouraging examples in this direction, a much more systematic approach is required. Most important, the Representative urged access to credit for internally displaced women to enable them to start up their own businesses, and called upon international development banks to orient more of their funds towards supporting small-scale programmes of direct benefit to uprooted women.

103. On a related note, it is particularly welcome that the IASC Working Group at its November 1998 meeting agreed that greater attention should be given to mainstreaming gender in the provision of humanitarian assistance. To this end, the IASC established a sub-working group, co-chaired by WFP and UNICEF and in which the office of the Representative participated. The background paper and policy statement on mainstreaming gender in the humanitarian response to emergencies, which were drafted by the sub-working group and adopted by the IASC at its May meeting, contain a number of references to internally displaced women and children. In-depth attention was also devoted to the needs of internally displaced women at a two-day expert meeting on the subject convened by UNICEF in June 1999 and in which the office of the Representative participated. A report of the meeting is forthcoming.

104. Furthermore, now that international awareness of the problem of internal displacement has been raised, an appropriate normative framework developed and institutional arrangements increasingly enhanced, it is time to develop new strategies and directions for the work of the mandate that will increase its impact in the field. Towards that end, a series of consultations to discuss future strategies and directions for the mandate were convened under the auspices of the Brookings Institution Project over the latter part of 1998 and early 1999 to solicit the views of a number of individuals, representing a wide range of institutional and personal perspectives in terms of their involvement with the internally displaced. Those approached for consultation included representatives of relevant United Nations and other international agencies and organizations engaged in human rights, humanitarian and development work, non-governmental organizations and academic experts familiar with the issue of internal displacement and the mandate. These consultations have proved instrumental in charting the future course of activities, the appropriate organizational arrangements, and the required institutional and material support for the mandate.

# VI. Conclusion

105. Since the mandate was created in 1992, the international community's response to the global crisis of internal displacement has advanced appreciably. For its part, the mandate has played a catalytic role that has focused on developing an appropriate normative framework of protection and assistance for the internally displaced. It has contributed to the development of a system of inter-agency collaboration in addressing the needs of the internally displaced. And it has established a sustainable programme of country visits aimed at focusing attention on conditions on the ground and entering into dialogue with Governments and other pertinent actors to address the pressing needs of the internally displaced.

106. Notwithstanding these areas of appreciable progress in enhancing the international response to internal displacement, the millions of internally displaced persons worldwide stand as testament to the need to do so much more. Providing an effective and comprehensive system of response to the needs of internally displaced populations around the world remains a daunting task that calls for a concerted effort by all concerned at all levels, local to global. With the Guiding Principles completed and launched, with institutional arrangements for inter-agency collaboration in place, and with a process of country missions and dialogue with Governments and other actors established, the system is better equipped than ever before to meet this challenge. The task ahead is to ensure that the developments towards making the system more effective in providing protection and assistance to the millions of internally displaced in desperate need of help have a meaningful impact on the ground. For the mandate, this means continuing the catalytic role but now with more of an emphasis on promoting the dissemination and use of the Guiding Principles, monitoring conditions on the ground to detect situations calling for urgent attention, interceding on behalf of the internally displaced as appropriate, and recommending collaborative action by the relevant operational agencies in the international system as well as, of course, the Governments concerned.

107. For the mandate to address these challenges credibly, it will have to enhance its capacity with both human and material resources, which are at present dismally deficient. The General Assembly has requested the Secretary-General to provide all necessary resources to enable the Representative to carry out his mandate effectively. Financial constraints within the Organization, however, necessitate that the Representative look to other sources to supplement the limited, albeit welcome, staff support that

he receives from the Office of the United Nations High Commissioner for Human Rights. Creative strategies to garner resources for the mandate from outside the system currently are being explored, with the support of the Secretary-General, the Emergency Relief Coordinator, the United Nations High Commissioner for Human Rights, the United Nations and other international agencies, non-governmental organizations and donor Governments.

108. Outside support was essential to the development, as requested by the Assembly and the Commission, of an appropriate normative framework for the internally displaced and to the undertaking, further to the request of the Secretary-General and with the encouragement of the Assembly, of a comprehensive, multi-volume study examining the causes of internal displacement, its current manifestations worldwide and the international and regional institutional arrangements for addressing it as well as developing strategies for increasing protection, assistance and solutions for the internally displaced. In promoting the implementation of these strategies and of the Guiding Principles, the need for sustained support for the work of the mandate is all the more critical.

*Notes*

[1] See *Forced Migration Review*, Issue 1 (January-April 1998) and Issue 2 (August 1998).

[2] *Uprooted People*, Issue 3 (May 1998) and its supplement, *The Mustard Seed*, No. 49 (Fall 1998); *On the Record*, vol. 2, Issue 3 (7 October 1998).

[3] Jean-Philippe Layover, "Guiding Principles on Internal Displacement" *International Review of the Red Cross*, No. 324 (September 1998), pp. 467-480; Robert K. Goldman, "Codification of International Rules on Internally Displaced Persons", ibid., pp. 463-466; "Guiding Principles on Internal Displacement", ibid., pp. 545-556.

[4] *ICJ Review*, vol. 61 (December 1998).

[5] *Human Rights Tribune*, vol. 6, No. 1 (January 1999), pp. 16-18, 23.

[6] *Monday Developments*, InterAction, Washington, D.C. (14 September 1998).

[7] *RRN Newsletter*, No. 12 (November 1998).

[8] *International Journal of Refugee Law*, vol. 10, No. 3 (July 1998), pp. 548-572.

[9] See, for instance, Women's Commission for Refugee Women and Children, *A Charade of Concern: The Abandonment of Colombia's Forcibly Displaced* (May 1999); Tamil Centre for Human Rights, "Internally Displaced People — One Million in the Island of Sri Lanka", press release (20 July 1998); Nancy Beaudoin, "Colombian Nightmare", *On the Record*, vol. 2, Issue 3 (7 October 1998), pp. 7, 11; Stephanie T. E. Kleine-Ahlbrandt, "The Kibeho Crisis: Towards a More Effective System of International Protection for IDPs", *Forced Migration Review*, Issue 2 (August 1998), pp. 8-11.

[10] See, for example, the following reports by Amnesty International: *FEDERAL REPUBLIC OF YUGOSLAVIA. A Human Rights Crisis in Kosovo Province, Document Series B: Tragic Events Continue #4: The Protection of Kosovo's Displaced and Refugees*, AI Index 70/73/98 (October 1998); *UGANDA. Breaking the Circle: Protecting Human Rights in the Northern War Zone*, AI Index AFR 59/01/99 (17 March 1999); *EAST TIMOR. Seize the Moment*, AI Index ASA 21/49/99 (21 June 1999), *MYANMAR. Aftermath: Three Years of Dislocation in the Kayah State*, AI Index ASA/16/14/99 (June 1999).

[11] See Ecumenical Commission for Displaced Families and Communities (ECDFC) *Monitor*, vol. 13, No. 6 (November-December 1998), pp. 12-17.

[12] Officially entitled the Regional Conference to Address the Problems of Refugees, Displaced Persons, Other Forms of Involuntary Displacement and Returnees in the Countries of the Commonwealth of Independent States and Relevant Neighbouring States.

[13] Inter-Agency Standing Committee (IASC) Recommendations Related to the Review of the Capacity of the United Nations System for Humanitarian Assistance, final version, 15 October 1998, para. 24.

[14] Ibid., para. 14.

[15] Ibid., para. 18.

[16] Ibid., para. 17. UNHCR's criteria for its involvement with internally displace persons, which were initially set out in UNHCR/IOM/33/93 (28 April 1993), have since been restated in UNHCR/IOM/87/97 (2 December 1997). See also UNHCR, "Information Note: UNHCR's Role with Internally Displaced Persons", November 1998.

[17] IASC Recommendations, ibid., para. 15.

[18] Ibid., para. 20.

[19] See Steven Holtzman, "Conflict-Induced Displacement through a Development Lens" cited in Roberta Cohen and Francis M. Deng, *Masses in Flight: The Global Crisis of Internal Displacement*, Brookings Institution, Washington, D.C., 1998, p. 290, note 186.

[20] *Masses in Flight*, ibid., pp. 213-238, 251-252.

[21] UNICEF, *The Needs of Internally Displaced Women and Children: Guiding Principles and Considerations*, Office of Emergency Programmes Working Paper Series, September 1998; UNICEF and the Women's Commission for Refugee Women and Children, *The Gender Dimensions of Internal Displacement: Concept Paper and Annotated Bibliography*, 1998.